

Appl. No. 09/857,047  
Amdt. Dated August 26, 2005  
Reply to Office action of June 1, 2005  
Attorney Docket No. P09852US1  
EUS/J/P/05-3199

### **REMARKS/ARGUMENTS**

#### **Claim Amendments**

The Applicant has amended claims 1, 3, 8 and 11 and claim 7 has been canceled. Applicant respectfully submits no new matter has been added. Claim 1 has been amended to include the allowable subject matter of claim 7. Additionally, claim 11 has been amended to incorporate the allowable subject matter of claim 7. Accordingly, claims 1-6 and 8-11 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

#### **Allowable Subject Matter**

The Applicant notes with appreciation the conditional allowance of claims 7-8. As the Examiner has suggested claim 1 has been rewritten in independent form including all limitation of the base claim and any intervening claims. Also, claim 11 has been amended to include limitations similar the allowable subject matter incorporated into amended claim 1. No amendments have been made to narrow the scope of the pending claims or to create any sort of estoppel.

#### **Claim Rejections – 35 U.S.C. § 102(b)**

Claims 1-11 stand rejected under 35 U.S.C. 102(b) as being anticipated by Gessel et al (U.S. 5,732,213) hereinafter referred to as Gessel. The Applicants have cancelled independent claim 7 rendering the rejection of that claim moot. The Applicants respectfully traverse the rejection of the remaining claims.

The Applicant's invention discloses a method of transmitting signaling information between peers in a telecommunication network. A first user sends signaling information, including a destination signaling point identifier, to a Message Transfer Part (MTP) level 3 identifying a peer user's signaling point. The MTP level 3 determines a destination address for sending the signaling information to the destination signaling point. If the destination address is an IP address and port number, the information is transferred to an IP part for transmission over an IP network. The Applicant's invention

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also teaches replacement of MTP-2 and MTP-1 levels using an IP layer and an adaptation layer under the MTP-3 layer that remains in the SS7 stack (Figure 3)

Gessel teaches a test system for testing OSI layers 3-7 using a protocol simulator that simulates OSI layers 3-7 of a communication protocol between two network nodes, a Local Area Network (LAN) connected to the protocol simulator with a first Internet socket interface, which replaces the OSI layers 1-2 of the protocol simulator, and a target telecommunication node connected to the LAN with a second Internet socket interface, which operates with blocks of application software to validate the use of the communication protocol within the target telecommunication node [col. 3 lines 18-32. A telecommunication system emulator that emulates the hardware of a processing node and interprets the application software as if it was running on a target machine is also disclosed [col.6 lines 12-15].

Gessel, in contrast to the Applicant's invention, does not disclose an adaptation layer between the MTP level 3 and the IP part. The adaptation layer provides an interface between the MTP level 3 and TCP/UDP levels and in addition listens to a predetermined port for receiving and processing incoming data.

The adaptation layer noted above is an element in the Applicant's invention that is claimed in amended claim 1 and similar limitations have been included in amended claim 11. The respective dependent claims of claim 1 also contain the allowable subject matter of the adaptation layer. This being the case, the Applicant respectfully requests withdrawal of the rejection of claims 1-6, and 8- 11

#### **Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 9-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gessel in view of the admitted art in the applicant's instant application. Hereinafter referred to as "admitted art". The Applicant respectfully traverses the rejection of these claims.

The admitted art reference is cited for including a Network Indicator plus "Network Identifier – Network Cluster – Network Cluster Member" format. The Applicant respectfully submits that claims 9-10 depend from amended claim 1, contain the same

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allowable subject matter and recite further limitations in combination with the novel elements of amended claim 1. The Applicant respectfully requests the withdrawal of the rejection of claims 9 and 10.

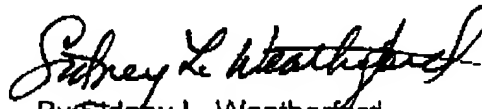
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### CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

  
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